

The Hon. James L. Robart

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

DERICO FULLER,

Defendant.

No. CR17-324-JLR

~~PROPOSED~~

ORDER OF FORFEITURE

JLR

THIS MATTER comes before the Court on the United States' Motion for Order of Forfeiture (the "Motion") seeking to forfeit to the United States the Defendant's, Derico Fuller, interest in the following property:

- A judgment for a sum of money in the amount of \$100,000, representing any property that constitutes or is derived from proceeds the Defendant obtained directly or indirectly as the result of the violation set forth in Count 1 of the Information.

The Court, having reviewed the United States' Motion, as well as the other papers and pleadings filed in this matter, HEREBY FINDS that entry of an Order of Forfeiture is appropriate because of the following:

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- 1 • The Defendant was charged by an Information that included an allegation for
2 forfeiture, pursuant to 18 U.S.C. § 982(a)(2)(A), of a sum of money of an
3 amount representing any property that constitutes or is derived from proceeds
4 the Defendant obtained directly or indirectly as the result of the violation set
5 forth in Count 1 of the Information (Conspiracy to Commit Bank Fraud, in
6 violation of 18 U.S.C. §§ 1344(1) and (2) and 1349) (Dkt. No. 1);
- 7 • The Defendant has agreed, pursuant to the Plea Agreement entered on January
8 4, 2018, to forfeit a sum of money in the amount of \$100,000, representing any
9 and all property constituting, or derived from, proceeds the Defendant obtained
10 as the result of the violation charged in Count 1 of the Information, and
11 Defendant further admitted that he personally obtained not less than \$100,000
12 in proceeds as a result of the violation (Dkt. No. 10, ¶¶ 8–9);
- 13 • The evidence in the record, including information contained within the Plea
14 Agreement, has established the requisite nexus between the above-described
15 sum of money and the offense of conviction, pursuant to Fed. R. Crim. P.
16 32.2(b)(1)(B); and
- 17 • No ancillary proceeding is required to the extent that the forfeiture consists of a
18 judgment for a sum of money representing proceeds obtained as the result of
19 the charged offense, pursuant to Fed. R. Crim. P. 32.2(c)(1).


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21 NOW, THEREFORE, THE COURT ORDERS:

- 22 1) Pursuant to 18 U.S.C. § 982(a)(2)(A) and the Plea Agreement, the
23 Defendant's interest in a sum of money in the amount of \$100,000 is fully
24 and finally forfeited, in its entirety, to the United States;
 - 25 2) No right, title, or interest in the above-described sum of money exists in
26 any party other than the United States;
- 27
28

- 1 3) Pursuant to Fed. R. Crim. P. 32.2(b)(4)(A)-(B), this Order will become
2 final as to the Defendant at the time he is sentenced, will be made part of
3 the sentence, and, it will be included in the judgment;
4 4) Pursuant to Fed. R. Crim. P. 32.2(e), in order to satisfy the judgment for the
5 above-described sum of money of \$100,000 in whole or in part, the United
6 States may move to amend this Order, at any time, to substitute property
7 having a value not to exceed \$100,000; and,
8 5) This Court will retain jurisdiction in this case for the purpose of enforcing
9 this Order.

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11 The Clerk of Court is directed to serve a copy of this Order of Forfeiture on all
12 parties of record.

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14 DATED this ²⁰23 day of March, 2018.

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17 
18 THE HON. JAMES L. ROBART
19 UNITED STATES DISTRICT JUDGE

20 Presented by:

21 /s/ Neal B. Christiansen
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